



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Project Number: 3014234
Applicant Name: Steve Barnes for Cedar Park 1 LLC
Address of Proposal: 12703 37th Avenue Northeast

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into three parcels of land. Proposed parcel sizes are: A) 8,292.1 sq. ft.; B) 7,772.1 sq. ft. and C) 8,433.4 sq. ft. Existing structures to be demolished.*

*Note – The project description has been revised from the following original notice of application: Land Use Application to subdivide one parcel into three parcels of land. Proposed parcel sizes are: A) 8,292.1 sq. ft.; B) 8,037.8 sq. ft. and C) 8,167.7 sq. ft. Existing structures to be demolished.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into three parcels of land.
(Seattle Municipal Code (SMC) Chapter 23.24)

BACKGROUND INFORMATION

Zoning: Single Family 7200 (SF 7200).

Uses on Site: One single family residence with attached garage.

Site Description

This 24,497.6 square foot (sq. ft.) project site is located in a Single Family 7200 (SF 7200) zone in the Cedar Park neighborhood of the City of Seattle. The parcel is situated on the west side of 37th Avenue Northeast. An existing single family residence with attached garage resides on the site.

Vehicular access to the site is via a driveway abutting 37th Avenue Northeast. This right-of-way (37th Avenue Northeast) is an unimproved non-arterial street with a paved roadway and no sidewalks, curbs or gutters.

The topography of the site is relatively flat with a gradual downward sloping condition from east to west. Existing vegetation consists of low growing grass, shrubs and several mature trees. Prior to the review of this short plat application, DPD received a hazard tree removal application (#6346850) to remove thirteen mature trees from this property. Upon review of the arborist report (Zsafia Pasztor, Certified Arborist), DPD concurred with the arborist's findings that certain trees were considered hazardous per the Tree Protection code (SMC 25.11) and granted permission to remove eleven identified hazard trees. Two trees (46" diameter (dbh) Western Red Cedar and 42" Western Red Cedar) were deemed non-hazard trees and therefore excluded from the list of trees permitted to be removed. The subject property is not located within any identified or designated Environmentally Critical Areas (ECAs) pursuant to SMC 25.09.

Surrounding property south, north and east of the proposal site is also zoned SF 7200. Lowrise 2 (LR2) zoning is west of the subject property. Existing development in the vicinity of the proposal consists of homes, townhomes and apartments varying in age and architectural style on a variety of lot sizes, consistent with the zoning designation. A church property (Judson Baptist Church) abuts the subject site's westernmost property line.

Proposal

The proposal is to subdivide one parcel of land into three lots. Proposed parcel sizes are indicated in the summary above. Proposed Parcel A will have direct vehicular access from 37th Avenue Northeast. Vehicular access to both proposed Parcels B and C is planned to occur via an ingress, egress, and utility easement abutting 37th Avenue Northeast. The existing single family residence with attached garage will be removed.

The subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

The required public comment period for this project ended on February 13, 2013. DPD received and responded to one written comment from a neighbor regarding this proposal. The written response is noted in the project file.

ANALYSIS – SUBDIVISION

General short subdivision standards: Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
3. *Adequacy of drainage, water supply and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*

5. *Conformance to the applicable provisions of Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouse, rowhouse, and cottage housing developments as permitted in Single-Family, Residential Small Lot, and Lowrise zones and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones; and;*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*
9. *Every lot except unit lots and lots proposed to be platted for individual live-work units in zones where live-work units are permitted shall conform to the following standards for lot configuration, unless a special exception is authorized under subsection 23.24.040.B:*
 - a. *If a lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet; and*
 - b. *No lot shall be less than 10 feet wide for a distance of more than 10 feet as measured at any point; and*
 - c. *No proposed lot shall have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line; and*
 - d. *If the property proposed for subdivision is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of Section 23. 53.030, then no new lot shall be proposed that does not provide alley access, except that access from a street to an existing use or structure is not required to be changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.*

Conclusion

Based on information provided by the applicant, referral comments from DPD and other City Departments, and review and analysis by the Land Use Planner, the above criteria have been met. The short subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This short subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities.

Adequate provisions for drainage control, water supply and sanitary sewage disposal will be provided for each lot and service is assured, subject to standard conditions governing utility extensions. The DPD Drainage Reviewer reviewed the proposal and determined that all stormwater runoff should be piped to the public storm drain in 35th Avenue Northeast. The proposed plat includes a 10' wide storm drainage and sanitary sewer easement (KCR

#20130219000132) that extends west from the subject property to the neighboring church's (Judson Baptist Church – 12702 35th Avenue Northeast) surface parking area along its northernmost property line. Installation of the piping on the church's property will require permitting from DPD in association with future construction permitting for the subject lots. However, the detailed review and installation of piping on both the church property would not occur until after future building applications on the proposed parcels have been submitted to DPD. Therefore, in order to ensure that appropriate permitting is obtained to allow alteration of the church's surface parking for the installation of the piping, a condition will be added to require the applicant to obtain all necessary permitting for the church property prior to final approval of the first building permit that will utilize the abovementioned easement for piping stormwater runoff to the storm drain in 35th Avenue Northeast.

The proposed plat maximizes the retention of existing trees. Two trees (46" diameter (dbh) Western Red Cedar and 42" Western Red Cedar) identified on the plat drawings and deemed exceptional status, are planned to be preserved. These trees can be preserved, depending upon the location of any future construction, the extent of the root systems and the overall health of the tree. Future construction will be subject to the provisions of SMC 23.44.008, 25.11.050 and 25.11.060 which sets forth tree planting and exceptional tree protection requirements on single family lots.

The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION –SHORT SUBDIVISION

The proposed Short Subdivision is **GRANTED with Conditions**.

CONDITIONS OF APPROVAL PRIOR TO RECORDING

1. Insert the following requirement on the face of the plat: "Drainage control plan for future development shall include requirement that all stormwater runoff be piped to public storm drain in 35th Avenue Northeast. Any alternative of this requirement must be reviewed and approved by a DPD Drainage Reviewer."

CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT

2. Required permitting in association with piping installation within the storm drainage and sanitary sewer easement at the Judson Baptist Church (12702 35th Avenue Northeast) surface parking area must be approved by DPD prior to the issuance of the Building permit for the first single family residence.

Signature: _____ (signature on file) Date: May 13, 2013
Tami Garrett, Senior Land Use Planner
Department of Planning and Development

TG:drm